

REMARKS

Claims 1-12 are pending in the above-identified application.

The claims of this application have been subjected to a Restriction Requirement as follows:

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| Group I | -- | directed to claim 1 which recites a sulfonium salt of formula (Ia); |
| Group II | -- | claim 2 directed to a polymeric compound having a structural unit of formula (Ib); and |
| Group III | -- | claims 3-12 directed to a chemical amplification type positive resist composition containing a salt of formula (Ia) and a polymeric compound having a structural unit of formula (Ib). |

Election

Applicants hereby elect the invention of Group III, i.e. claims 3-12, without traverse. The reason that this election is made without a traversal is because there is no "election of species" requirement indicated in Group III if selected. On the other hand, if the Examiner happens to change her position with regard to such a requirement, then it may be necessary that applicants reconsider whether a traversal is necessary for the present election.

If any questions arise in the above matters, please contact Applicant's representative, Andrew D. Meikle (Reg. No. 32,868), in the Washington Metropolitan Area at the phone number listed below.

Application No.: 10/682,038

Docket No.: 2185-0710P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: November 28, 2005

Respectfully submitted,

By 

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